BEFORE THE APPEALS BOARD FOR THE KANSAS DIVISION OF WORKERS COMPENSATION

ROBERT WEYAND Claimant)
VS.))) Docket No. 195,614
JOHN'S MOTOR SERVICE Respondent) Bocket No. 155,014
AND	\
UNION INSURANCE COMPANY Insurance Carrier	}

ORDER

Respondent appeals from a January 5, 1995 Preliminary Hearing Order by which Administrative Law Judge George R. Robertson granted claimant's request for temporary total disability and medical benefits.

ISSUES

On appeal, respondent contends the Administrative Law Judge exceeded his jurisdiction by granting benefits because the evidence does not establish that claimant's injury arose out of and in the course of his employment. Respondent acknowledges that claimant suffered an injury in the course of his employment on August 25, 1994, but contends the current need for temporary total disability and medical benefits results from a subsequent injury at claimant's home on October 14, 1994.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

After reviewing the record and considering the arguments of the parties, the Appeals Board finds claimant's current need for treatment and temporary total disability benefits is a natural and probable consequence of his original injury of August 25, 1994 and the Order for benefits should, therefore, be affirmed. This conclusion by the Appeals Board is based upon the claimant's medical evidence, which indicates the injuries were a natural and probable consequence of the original work-related injury.

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the January 5, 1995, Order of Administrative Law Judge George R. Robertson should be, and the same is hereby, affirmed.

IT IS SO ORDERED.
Dated this day of March, 1995.
BOARD MEMBER
BOARD MEMBER
BOARD MEMBER

c: Robert A. Anderson, Ellinwood, KS James B. Biggs, Topeka, KS George R. Robertson, Administrative Law Judge George Gomez, Director